

U.S. Department of Education

**Staff Report
to the
Senior Department Official
on
Recognition Compliance Issues**

RECOMMENDATION PAGE

1. **Agency:** Pennsylvania State Board for Vocational Education, Bureau of Career and Technical Education (2004/2007)
(The dates provided are the date of initial listing as a recognized agency and the date of the agency's last grant of recognition.)
2. **Action Item:** Petition for Continued Recognition
3. **Scope of Recognition:** State agency for the approval of public postsecondary vocational education.
4. **Date of Advisory Committee Meeting:** December, 2011
5. **Staff Recommendation:** Continue the agency's recognition and require the agency to come into compliance within 12 months, and submit a compliance report that demonstrates the agency's compliance with the issues identified below.
6. **Issues or Problems:**
 - The agency must provide an explanation of how this budget, which is less than planned, is adequate enough to support its accreditation operations. [603.24(a)(2)(ii)]
 - The agency must provide documentation identifying that the IAAG includes representation by each of the categories required by this section. [603.24(b)(1)(i)]
 - The agency must provide documentation of its timely, fair and equitable treatment of complaints or indicate that it has had no opportunity to apply its complaint procedures. [603.24(b)(1)(ix)]
 - The agency must provide evidence that it provides all institutions with a written report of its evaluation of the institution's strengths,

weaknesses, suggestions for improvement, and areas of non-compliance prior to making the accreditation decision.
[603.24(b)(2)(ii)]

- The agency must demonstrate that institutions have an adequate window of opportunity to respond to the final site report before an accreditation decision is made. [603.24(b)(2)(iii)]
- The agency must provide evidence that it provides an institution with information regarding its right to appeal before a body designated for that purpose, or indicated that it has had no situations that an institution may appeal.[603.24(b)(2)(iv)]

EXECUTIVE SUMMARY

PART I: GENERAL INFORMATION ABOUT THE AGENCY

The Pennsylvania State Board of Vocational Education (PSBVE), Bureau of Career and Technical Education (BCTE), is a state agency recognized for the approval of public postsecondary vocational education. Its legal authorization was established by Pennsylvania Statute and gives the agency jurisdiction to oversee the public institutions that offer public postsecondary vocational education.

Currently there are approximately 79 occupational or comprehensive institutions, which include 21 high schools and 58 vocational-technical schools offering public postsecondary vocational education to approximately 19,361 participating adults enrolled in 552 non-degree programs across the state.

These are non-degree programs provided at Area Vocational-Technical Schools (AVTS) that offer education and training for employment to adults in a variety of occupations. The Pennsylvania Department of Education views this as a viable means for expanding quality postsecondary education and training opportunities in local communities across the state, for reaching a cohort of the state's population that has been unable to access traditional higher education institutions, and for enhancing collaboration and addressing the needs of the local labor markets.

Recognition History

The Pennsylvania State Board of Vocational Education (PSBVE), Bureau of Career and Technical Education (BCTE) was initially recognized in 2004 for a period of two years and requested the agency submit an interim report. The NACIQI reviewed the agency's interim report at its fall 2005 meeting and recommended that the Secretary accept the report.

In June 2006, the agency submitted its petition for continued recognition. The Secretary recognized the agency for a period of four years (maximum timeframe for recognition of a State agency) and requested an interim report which the Secretary subsequently accepted in 2008.

On August 14, 2008, the Higher Education Opportunity Act amended the Higher Education Act of 1965, which disbanded the existing NACIQI. This meeting is the first opportunity for the agency to appear before NACIQI.

PART II: SUMMARY OF FINDINGS

§603.24 Criteria for State agencies

The following are the criteria which the Secretary of Education will utilize in designating a State agency as a reliable authority to assess the quality of public postsecondary vocational education in its respective State.

(ii) Receives adequate and timely financial support, as shown by its appropriations, to carry out its operations;

The agency provided a detailed description of its funding process and the portion of the State Statutes authorizing sufficient funds and resources demonstrating that the agency can currently administer its responsibilities with funds available during this fiscal period. However, the agency provided no documentation of its budget and expenditures.

Staff Determination: The agency does not meet the requirements of this section. It needs to provide documentation of its budget and expenditures.

Analyst Remarks to Response:

In response to the staff draft analysis the agency provided a document identifying an ASIAE budget for FY 2010-11 of approximately 120K. This is significantly less than the funds anticipated by the agency of "approximately \$186,283 will be absorbed for its ASIAE services and expenses". The agency provided no explanation of how this is adequate and timely financial support, as shown by its appropriations, to carry out its operations.

Staff determination: The agency does not meet the requirements of this section. It must provide an explanation of how this budget, which is less than planned, is adequate enough to support its accreditation operations.

(i) Has an advisory body which provides for representation from public employment services and employers, employees, postsecondary vocational educators, students, and the general public, including minority groups. Among its functions, this structure provides counsel to the State agency relating to the development of standards, operating procedures and policy, and interprets the educational needs and manpower projections of the State's public postsecondary vocational education system;

The agency's Administration Guidelines and its Handbook For Approval outline the Institution Accreditation Advisory Group (IAAG) role. The IAAG is comprised of eight members; it meets twice a year and provides counsel in the review of the agency's standards, policies and operating procedures; recommends continuous improvements; and assists in interpreting the educational needs and resource projections for the PPVE. However, the agency documents, as noted earlier, are inconsistent and it is unclear if the role of the IAAG is advisory or decisional.

As well, the agency has not documented that the IAAG membership complies with the requirements of this criterion.

Staff determination: The agency does not meet the requirements of this section. It needs to (1) provide documentation demonstrating that the IAAG is composed of the types of individuals required by this section and, (2) clarify the role of the IAAG to include amending its documents accordingly.

Analyst Remarks to Response:

In response to the staff draft analysis the agency provided its revised ASIAE Guidelines to clarify the role of the IAAG as a advisory body. It also provided a list of its advisory board members. However there is no documentation identifying that the IAAG includes representation by each of the categories required by this section

Staff determination: The agency does not meet the requirements of this section. It must provide documentation identifying that the IAAG includes representation by each of the categories required by this section.

(ix) Has written procedures for the review of complaints pertaining to institutional or program quality as these relate to the agency's standards, and demonstrates that such procedures are adequate to provide timely treatment of such complaints in a manner fair and equitable to the complainant and to the institution or program;

The agency's guidelines Chapter 12 Complaint Procedure provide the following written guidance:

Written Complaint Procedure for the Applicant Institution.

- a. Complaints, in reference to the Accreditation Process, must be submitted in writing and directed to the attention of the Director of the Bureau of Career and Technical Education.
- b. Solution(s) to the complaint will be executed as appropriate.
- c. BCTE will follow up with the complaint if appropriate.
- d. The disposition of the complaint will be provided to the complainant, the institution, and other interested parties in writing within ten (10) calendar days of

the final decision.

The agency has a written complaint policy. However, the policy is vague and does not provide sufficient procedural guidance regarding how it will execute complaints it receives. More specifically, it does not include timeframes for ensuring the timely investigation and resolution of complaints nor does it include guidance as to what types of complaints will be addressed, by whom, and in what manner. .

Staff determination: The agency does not meet the requirements of this section. It needs to strengthen its complaint procedures to include more procedural specificity on how it will address complaints it receives.

Analyst Remarks to Response:

In response to the staff draft analysis the agency provided its revised complaint procedures outlined in chapter 12 of its ASIAE Guidelines. The agency has strengthened its written complaint policy procedures to define what type of complaints it will receive along with clarifying who administers and responds to the complaints sent to the agency. This includes a time frame for the review and resolution of the complaint of ten days with the additional procedures allowing for following up the disposition of the complaint. However, the agency has not indicated that it has had no complaints nor has it provided evidence of its timely, fair and equitable treatment of complaints.

Staff determination The agency does not meet the requirements of this section. It must provide documentation of its timely, fair and equitable treatment of complaints or indicate that it has had no opportunity to apply its complaint procedures.

(ii) Furnishes as a result of the evaluation visit, a written report to the institution or program commenting on areas of strength, areas needing improvement, and, when appropriate, suggesting means of improvement and including specific areas, if any, where the institution or program may not be in compliance with the agency's standards;

The process outlined by the agency in its narrative is not supported by the agency's written policy and procedures. The agency's written policies/procedures indicate that the report is provided to the institution only after the report is provided to the IAAG, an accreditation decision is made, and the decision is a denial of accreditation.

Staff determination: The agency does not meet the requirements of this section. It needs to amend its policy/procedures and demonstrate that it provides all institutions with a written report of its evaluation of the institution's strengths, weaknesses, suggestions for improvement, and areas of non-compliance prior to

making the accreditation decision.

Analyst Remarks to Response:

The agency provided its revised written report policies and procedures contained in its ASIAE, Chapter 8, (Exit and Written Report) reflecting the process to provide all institutions with a written report of its evaluation of the institution's strengths, weaknesses, suggestions for improvement, and areas of non-compliance prior to making the accreditation decision. However, the agency has not demonstrated its application of this revised procedure.

Staff determination: The agency does not meet the requirements of this section. It must provide evidence that it provides all institutions with a written report of its evaluation of the institution's strengths, weaknesses, suggestions for improvement, and areas of non-compliance prior to making the accreditation decision.

(iii) Provides the chief executive officer of the institution program with opportunity to comment upon the written report and to file supplemental materials pertinent to the facts and conclusions in the written report of the visiting team before the agency takes action on the report;

As described in the previous section, the report is provided to the institution, however, this is only after the report is provided to the IAAG, an accreditation decision is made, and the decision is a denial of accreditation. The agency provides no opportunity to the institution to comment on the report or provide supplemental materials pertinent to the report before an accreditation decision (of all types) is rendered.

Staff determination: The agency does not meet the requirements. The agency needs to revise its policies/procedures and demonstrate that institutions have an adequate window of opportunity to respond to the report before an accreditation decision is made.

Analyst Remarks to Response:

In response to the staff draft analysis the agency provided its revised policies and procedures allowing the institution 30 days to respond to any findings in the final site evaluation report thus demonstrating that it has provided the institution an adequate window of opportunity to respond to the report before an accreditation decision is made. However, the agency has not demonstrated its application of this revised procedure.

Staff determination: The agency does not meet the requirements of this section. It must demonstrate that institutions have an adequate window of opportunity to respond to the final site report before an accreditation decision is made.

(iv) Provides the chief executive officer of the institution with a specific statement of reasons for any adverse action, and notice of the right to appeal such action before an appeal body designated for that purpose;

An institution has 2 opportunities to seek to have a denial of accreditation decision overturned. First the agency provides the institution a 30-day window to rebut the findings and recommendation to deny accreditation and/or to correct deficiencies. If unsuccessful, the institution may file an appeal in accordance with State law. The agency has provided evidence of providing an opportunity for an institution to respond to a recommendation of denial of accreditation. It has not provided evidence that it provides an institution with information regarding its right to appeal before a body designated for that purpose nor has it indicated that it has had no appeals.

Staff determination: The agency does not meet the requirements of this section. It must amend its procedures to ensure that it provides institutions information regarding the right to appeal an adverse decision and evidence of its application of this procedure, as appropriate.

Analyst Remarks to Response:

In response to the staff draft analysis the agency provided its revised appeal procedures contained in its ASIAE Guidelines (Chapter 11) that describes and provides an institution with information regarding its right to appeal to the Secretary of Education who is designated by Pennsylvania Statue as the authority for that purpose. The agency has not demonstrated its application of this revised procedure. Specifically, it has not demonstrated that it provides an institution with information regarding its right to appeal before a body designated for that purpose

Staff determination: The agency does not meet the requirements of this section. It must provide evidence that it provides an institution with information regarding its right to appeal before a body designated for that purpose, or indicated that it has had no situations that an institution may appeal.

PART III: THIRD PARTY COMMENTS

The Department did not receive any written third-party comments regarding this agency.